

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

KIMBERLY S. AFLAGUE,)	
)	
Plaintiff,)	8:04CV543
)	
v.)	
)	
SCOTT FRANSSSEN, CENTRAL)	ORDER
NEBRASKA ORTHOPAEDICS AND)	
SPORTS MEDICINE, RAYMOND)	
SMITH, MARY LANNING MEMORIAL)	
HOSPITAL, and DOES I-X,)	
)	
Defendants.)	
_____)	

Before the court is the report and recommendation of United States Magistrate Judge Thomas D. Thalken, Filing No. 36. No objection has been filed to the report and recommendation. Pursuant to NECivR 72.3 and 28 U.S.C. § 636(b)(1)(C), the court has conducted a de novo review of the record and adopts the report and recommendation in its entirety.

THEREFORE, IT IS HEREBY ORDERED that:

1. The report and recommendation, Filing No. 36, is adopted in its entirety;
2. The plaintiff's complaint and this case is dismissed as a sanction in accordance with Fed. R. Civ. P. 16(f) and 37(b)(2)(C); and
3. The Clerk's Office shall mail a copy of this order to the plaintiff at her last known address.

DATED this 20th day of January, 2006.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge